

09-18-06

CofC

Attorney's Docket No.: 17111-002002 / 2301B

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hubert Köster, et al.

Art Unit : 1623

Patent No. : 7,038,103

Examiner : Paul V. Ward

Issue Date : May 2, 2006

Conf. No. : 9747

Serial No. : 09/484,484

Cust. No. : 20985

Filed : January 18, 2000

Title : SOLUTION PHASE BIOPOLYMER SYNTHESIS

**Attn: Decisions & Certificates of Correction Branch**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

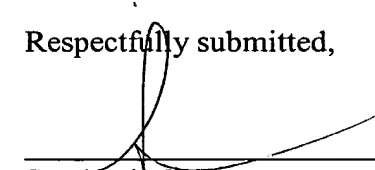
Dear Sir:

Transmitted herewith is a Response to the PTO decision regarding applicant's Request for a Certificate of Correction pursuant to C.F.R. § 1.322 and 1.323 (4 pages), Certificate of Correction Form PTO-1050 (2 pages), and a return postcard for filing in connection with the above-identified application. Since not all the errors are those of the Patent Office, the previous Request for Certificate of Correction mailed on July 21, 2006 was sent with the requisite fee of \$100.00. The Office is hereby authorized to apply the \$100.00 fee previously paid on July 21, 2006 to the present Request for Certificate of Correction. If it is determined that the fee amount is incorrect or if the check is missing, the Office is hereby authorized to charge the fee to Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17111-002002 / 2301B

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12390 El Camino Real

San Diego, California 92130

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Facsimile: (202) 626-7796

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**Certificate**

SEP 20 2006

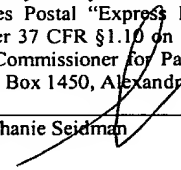
**of Correction**

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EV 740125802 US

Date of Deposit September 14, 2006

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Stephanie Seidman

SEP 20 2006



Attorney's Docket No.: 17111-002002 / 2301B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hubert Köster, et al.                      Art Unit : 1623  
Patent No. : 7,038,103                                      Examiner : Paul V. Ward  
Issue Date : May 2, 2006                                  Cust. No. : 20985  
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Title : SOLUTION PHASE BIOPOLYMER SYNTHESIS

Attn: Decisions & Certificates of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO PTO COMMUNICATION REGARDING  
CERTIFICATE OF CORRECTION

Dear Sir:

In response to the PTO decision mailed on Aug. 15, 2006 regarding the Request for a Certificate of Correction, the patentee respectfully requests that a Certificate of Correction be issued pursuant to 37 C.F.R. 1.322 and 1.323 for the above referenced patent to correct the following errors:

**IN THE REFERENCES CITED [56]:**

In OTHER PUBLICATIONS;

In Kaldor, S.W. et al., please insert ~~the~~ between "for" and "Purification";

in Khorana, H.G., please insert ~~a~~ between "of" and "Gene";

in König, B. et al., please replace "Azamacrocyles:" with ~~Azamacrocycles~~—;

in the fourth Köster, H. et al., please replace "Objectives" with ~~Objective~~—;

in Pon, R.T., please replace "Nitrophonyl" with ~~Nitrophenyl~~—;

in Schmidt, J.G. et al., please replace "Inforation" with ~~Information~~—;

in Virnekas, B. et al., please replace "Phosphoramidities:" with

~~Phosphoramidites~~—; and

09/19/2006 SSESHE1 00000011 061050 7038103

01 EC:1811 100.00 DA

Void date: 09/19/2006 SSESHE1

09/19/2006 SSESHE1 00000011 061050 7038103

01 FC:1811 100.00 CR

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EV 740125802 US

Date of Deposit September 14, 2006

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman

SEP 20 2006

Applicant : Hubert Köster, et al.  
Patent No. : 7,038,103  
Issued : May 2, 2006  
Serial No. : 09/484,484  
Filed : January 18, 2000  
Page : 2 of 4

Attorney's Docket No.: 17111-002002 / 2301B

in Bradshaw J. and Krakowiak, K., please replace "Azaoxemecrobicyclic" with  
—Azaoxamacrobicyclic—.

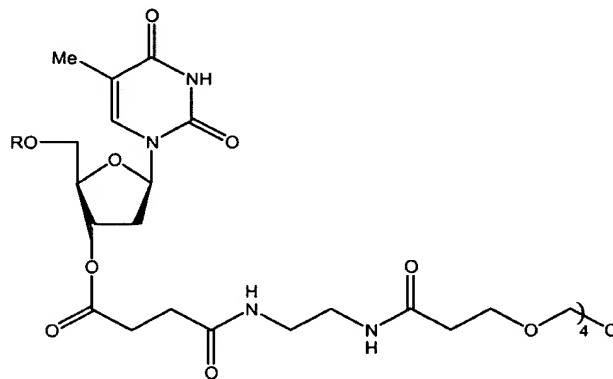
**IN THE SPECIFICATION:**

At column 11, line 50, please replace

"-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-OH (-->-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-Cl" with

— -Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-OH-->-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-Cl — ; and

at column 26, the structure should be presented as follows:



Applicant : Hubert Köster, et al.  
Patent No. : 7,038,103  
Issued : May 2, 2006  
Serial No. : 09/484,484  
Filed : January 18, 2000  
Page : 3 of 4

Attorney's Docket No.: 17111-002002 / 2301B

### REMARKS

Patentee respectfully requests that a Certificate of Correction be issued pursuant to 37 C.F.R. 1.322 and 1.323 for U.S. Patent No. 7,038,103 to correct the errors described above. A Certificate of Correction (Form PTO-1050) incorporating the above changes is submitted with this Request. Since not all the errors are those of the Patent Office, the previous Request for Certificate of Correction mailed on July 21, 2006 was sent with the requisite fee of \$100.00. The Office is hereby authorized to apply the \$100.00 fee previously paid on July 21, 2006 to the present Request for Certificate of Correction. If it is determined that the fee amount is incorrect or if the check is missing, the Office is hereby authorized to charge the fee to Deposit Account No. 06-1050.

This Certificate of Correction seeks to correct typographical, formatting and spelling errors in the "OTHER PUBLICATIONS" section of the References Cited [56] introduced by the PTO. The remaining corrections to the "OTHER PUBLICATIONS" section previously requested in the Request for Certificate of Correction mailed on July 21, 2006 are hereby withdrawn.

This Certificate of Correction seeks to correct errors in the specification. The correction to column 11, line 50 seeks to correct a typographical error introduced by the applicant by removing an open parenthesis symbol. The correction at column 26 seeks to correct an error introduced by the Patent Office in a structure. This structure incorrectly displays a carbon to oxygen single bond. On page 39, lines 1-10 of the originally filed application this structure contains a carbon to oxygen double bond.

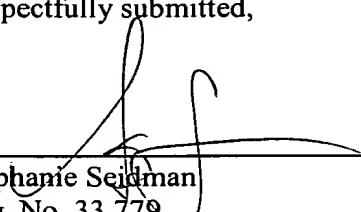
Applicant : Hubert Köster, et al.  
Patent No. : 7,038,103  
Issued : May 2, 2006  
Serial No. : 09/484,484  
Filed : January 18, 2000  
Page : 4 of 4

Attorney's Docket No.: 17111-002002 / 2301B

Accordingly, none of the requested corrections constitute new matter.

Patentee respectfully requests correction of these errors by issuance of a Certificate of Correction.

Respectfully submitted,



---

Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17111-002002 / 2301B  
**Address all correspondence to:**  
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San Diego, California 92130  
Telephone: (858) 678-4777  
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email: seidman@fr.com  
10658298.doc

SEP 20 2006

Staple  
Here  
Only**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO. : 7,038,103  
DATED : MAY 2, 2006  
INVENTOR(S) : HUBERT KÖSTER ET AL.

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

**IN THE REFERENCES CITED [56]:****In OTHER PUBLICATIONS:**

in Kaldor, S.W. et al., please insert —the— between “for” and “Purification”  
in Khorana, H.G., please insert —a— between “of” and “Gene”  
in König, B. et al., please replace “Azamacrocyles:” with —Azamacrocycles:—  
in the fourth Köster, H. et al., please replace “Objectives” with —Objective—  
in Pon, R.T., please replace “Nitrophonyl” with —Nitrophenyl—  
in Schmidt, J.G. et al., please replace “Inforation” with —Information—  
in Virnekas, B. et al., please replace “Phosphoramidities:” with —Phosphoramidites:—  
in Bradshaw J. and Krakowiak, K., please replace “Azaoxemecrobicyclic” with  
—Azaoxamacrobicyclic—;

**IN THE SPECIFICATION:**

at column 11, line 50, please replace

“-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-OH (-->-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-Cl” with  
-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-OH-->-Sp-O-C<sub>6</sub>H<sub>4</sub>(C<sub>6</sub>H<sub>5</sub>)<sub>2</sub>C-Cl -

MAILING ADDRESS OF SENDER:

PATENT No. 7,038,103

Stephanie Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130

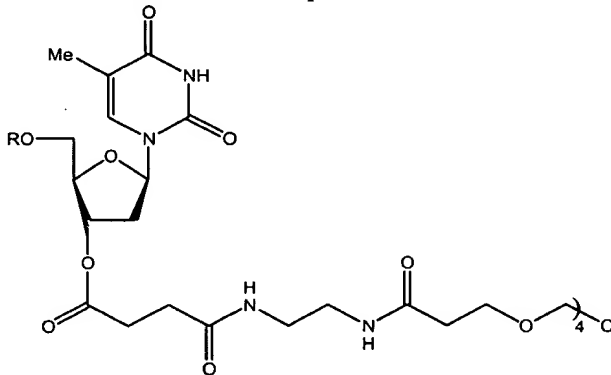
SEP 20 2006

Staple  
Here  
Only**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO. : 7,038,103  
DATED : MAY 2, 2006  
INVENTOR(S) : HUBERT KÖSTER ET AL.

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

at column 26, the structure should be presented as follows:



MAILING ADDRESS OF SENDER:

PATENT NO. 7,038,103

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SEP 20 2006